

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DONALD E. MORISKY,

Plaintiff,

v.

MMAS RESEARCH LLC, *et al.*,

Defendants.

Case No. C21-1301-RSM

ORDER DENYING DEFENDANTS'
MOTION FOR RECONSIDERATION

This matter comes before the Court on Defendants' Motion for Reconsideration. Dkt. #258. On September 4, 2024, Defendants filed their objections, Dkt. #256, to United States Magistrate Judge David W. Christel's Report and Recommendation, Dkt. #255. Defendants' objections included arguments that the Court's procedures leading up to the Report and Recommendation were prejudicial and denied due process to Defendants, that the Court erred in statements of fact, concerns regarding Plaintiff's counsel, that the Court misstated facts concerning Defendants' compliance with discovery and court orders, and that the sanctions were disproportionate and unfair. Dkt. #256 at 2-9. After considering these objections, this Court adopted the Report and Recommendation. Dkt. #257.

"Motions for reconsideration are disfavored." LCR 7(h)(1). "The court will ordinarily deny such motions in the absence of a showing of manifest error in the prior ruling or a showing

1 of new facts or legal authority which could not have been brought to its attention earlier with
2 reasonable diligence.” *Id.* “The motion shall point out with specificity the matters which the
3 movant believes were overlooked or misapprehended by the court, any new matters being
4 brought to the court’s attention for the first time, and the particular modifications being sought
5 in the court’s prior ruling.” LCR 7(h)(2).

6 Defendants’ Motion repeats previously presented arguments and cites to cases already
7 considered and rejected by the Court. It appears that Defendants have filed this Motion, mostly
8 unaltered, from their objections to the Report and Recommendation. In fact, Defendants’ prior
9 objections, Dkt. #256, and instant Motion, Dkt. #258, are both ten pages long with over four
10 hundred exhibit pages and are almost exactly copied and pasted (except for the introductions and
11 a sentence and two paragraphs under subsection D), including the same headings, arguments,
12 prayers for relief, and submission dates of September 4th, though Defendants submitted the
13 instant Motion on September 17th. The Court rejected these exact arguments after considering
14 Defendants’ prior objections. Defendants fail to point to manifest error or present new facts or
15 legal authority which could not have been brought to the Court’s attention earlier with reasonable
16 diligence. The Court concludes there is no other basis to reconsider its prior ruling. Accordingly,
17 this Motion is properly denied.

18 Having reviewed the relevant briefing and the remainder of the record, the Court hereby
19 finds and ORDERS that Defendants’ Motion for Reconsideration, Dkt. #258, is DENIED.

20 DATED this 17th day of October, 2024.

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22 RICARDO S. MARTINEZ
23 UNITED STATES DISTRICT JUDGE
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